MULLIN HOARD & BROWN, L.L.P.
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Attorneys for the Unsecured Creditors Committee

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

IN RE:

\$ 
AMERICAN HOUSING FOUNDATION \$ Case No. 09-20232-rlj-11 (lead) \$ 
Debtor. \$ Chapter 11

# NOTICE OF INTENTION TO TAKE ORAL DEPOSITION OF RANDY SHARP AND SUBPOENA DUCES TECUM

To: Randy Sharp, by and through his attorney of record, Dusty Stockard, COURTNEY, COUNTISS, BRIAN & BAILEY, LLP, 1700 One Bank Center, Amarillo, Texas.

Please take notice that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, the Unsecured Creditors Committee for American Housing Foundation (the "Committee") in the above-referenced bankruptcy proceeding, will take the deposition of **RANDY SHARP**, upon oral examination on June 1, 2010, beginning upon the completion of the deposition of Stacy Sharp scheduled for June 1, 2010, at 9:00 a.m., at the offices of Mullin Hoard & Brown, L.L.P., 500 S. Taylor, Suite 800, Amarillo, Texas 79101. The examination will continue from day to day until completed, or as agreed by the parties. The deposition will be

recorded by stenographic means by a licensed court reporter for the State of Texas and may be videotaped. All parties are invited to attend.

Additionally, the deponent is requested to produce for inspection and copying the documents listed in **Exhibit A** attached hereto.

Respectfully submitted,

David Mullin

#### MULLIN HOARD & BROWN, L.L.P.

David R. Langston, SBN 11923800 Lawrence M. Doss, SBN 24012544 1500 Broadway, Ste. 700 P. O. Box 2585 Lubbock, Texas 79408-2585 (806) 765-7491 -- Phone (806) 765-0553 - Fax

-And-

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Attorneys for the Unsecured Creditors Committee

### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was sent via ECF and/or regular U.S. Mail, postage prepaid on this the 20<sup>th</sup> day of May, 2010 to the following listed parties in interest:

Ms. Mary Frances Durham U.S. Trustee's Office 1100 Commerce Street Room 9C60 Dallas, TX 75242

Dusty Stockard Courtney Countiss Brian & Bailey P.O. Box 9238 Amarillo, TX 79105

John Sims Sims, Hubbert & Wilson P.O. Box 10236 Lubbock, TX 79408

Eli Columbus Winstead PC 1201 Elm Street, Suite 5400 Dallas, TX 75270-2199 John Thomas Boyd, Jr. Lynch, Hanna & Boyd, PLLC 500 S. Taylor, Lobby Box 267 Amarillo, TX 79101

John Lovell Lovell Newsom & Isern 112 W. 8<sup>th</sup> Ave., Suite 1000 Amarillo TX 79101

Max Tarbox Tarbox Law, P.C. 2301 Broadway Lubbock, Texas 79401

David Mullin

#### **EXHIBIT A**

- 1. All documents relating to American Housing Foundation, AHF Development, Ltd., Mid Continent Community Development Corporation, MC-CDC San Angelo, Ltd., LIHTC Community Development No.4, Ltd, or any of their subsidiaries or affiliates.
- 2. All documents relating to Steve W. Sterquell.
- 3. All documents relating to any payments or transfers of money between the W.A. Mays and Agnes Mays Trusts #2-3, #2.4, #2-5, # 2-6, # 2-7, #2-8 or #2-9 and American Housing Foundation, AHF Development, Ltd., Mid Continent Community Development Corporation, MC-CDC San Angelo, Ltd., LIHTC Community Development No.4, Ltd, or any of their subsidiaries or affiliates, including specifically but not limited to any payments or transfers of money between or among such entities.
- 4. All documents relating to any payments or transfers of money between W.A. Mays and Agnes Mays Trusts #2-3, #2.4, #2-5, # 2-6, # 2-7, #2-8 or #2-9 and Steve W. Sterquell or any of his family members.
- All documents relating to any payments or transfers of money between Randy or Stacy Sharp and American Housing Foundation, AHF Development, Ltd., Mid Continent Community Development Corporation, MC-CDC San Angelo, Ltd., LIHTC Community Development No.4, Ltd, or any of their subsidiaries or affiliates.
- 6. All documents relating to any payments or transfers of money between Randy or Stacy Sharp and Steve W. Sterquell or any of his family members since January 1, 2006.
- 7. All documents relating to any transactions or communications between the W.A. Mays and Agnes Mays Trusts #2-3, #2.4, #2-5, #2-6, #2-7, #2-8 or #2-9 and American Housing Foundation, AHF Development, Ltd., Mid Continent Community Development Corporation, MC-CDC San Angelo, Ltd., LIHTC Community Development No.4, Ltd, or any of their subsidiaries or affiliates.
- 8. All documents relating to the federal income tax returns for the W.A. Mays and Agnes Mays Trusts #2-3, #2.4, #2-5, # 2-6, # 2-7, #2-8 and #2-9 for years 2007, 2008, and 2009 including without limitation all forms K-1 sent to trust beneficiaries for the tax years 2007, 2008 and 2009.
- 9. All documents relating to the federal income tax returns for Randy and/or Stacy Sharp for years 2007, 2008, and 2009.
- 10. All documents relating to any transactions or communications between W.A. Mays and Agnes Mays Trusts #2-3, #2.4, #2-5, # 2-6, # 2-7, #2-8 or #2-9 and Steve W. Sterquell or any of his family members.
- 11. All documents relating any transactions or communications between Randy or Stacy Sharp and American Housing Foundation, AHF Development, Ltd., Mid Continent Community Development Corporation, MC-CDC San Angelo, Ltd., LIHTC Community Development No.4, Ltd, or any of their subsidiaries or affiliates.

- 12. All documents relating to any transactions or communications between Randy or Stacy Sharp and Steve W. Sterquell or any of his family members since January 1, 2006.
- 13. All documents relating to the proofs of claim filed by W.A. Mays and Agnes Mays Trusts #2-3, #2.4, #2-5, # 2-6, # 2-7, #2-8 or #2-9 in the American Housing Foundation or AHF Development, Ltd. Bankruptcies.
- 14. All documents relating to financial statements prepared by or for W.A. Mays and Agnes Mays Trusts #2-3, #2.4, #2-5, # 2-6, # 2-7, #2-8 or #2-9 or Randy and/or Stacy Sharp.
- 15. All documents relating to the AIMCO transactions.
- 16. Passports of Randy and Stacy Sharp.